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Kent H. Roberts

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 SECURITIES AND EXCHANGE  
17 COMMISSION,

Case No. C 07-04580 MHP

18 Plaintiff,

STIPULATION AND [PROPOSED] ORDER  
TO MODIFY INITIAL SCHEDULING ORDER  
AND LIMITING DISCOVERABILITY OF  
CERTAIN EXPERT MATERIALS

19 v.

20 KENT H. ROBERTS,

21 Defendant.  
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1           WHEREAS, the parties herein previously agreed to certain dates for the completion of  
 2 fact discovery, the conduct of expert discovery and the filing of dispositive motions, based on all  
 3 such dates occurring after the completion of the trial in the related criminal matter, *United States*  
 4 *v. Kent H. Roberts*, No. CR-07-0100; and

5           WHEREAS, the Court, at a status conference on December 10, 2007, issued its  
 6 Scheduling Order setting dates for these activities at a time when the trial in the criminal matter  
 7 was set to take place in February 2008; and

8           WHEREAS, the Court has since ordered that the criminal trial be re-set to commence on  
 9 September 16, 2008; and

10          WHEREAS, the parties have met and conferred, and have agreed that it is in the interest  
 11 of justice for the previously agreed and ordered dates in this matter be re-set to once again follow  
 12 the trial in the criminal matter; and

13          WHEREAS, the parties have further mutually agreed to limit the discoverability of their  
 14 correspondence with their respective experts, and of their experts' draft reports.

15          IT IS HEREBY STIPULATED that, subject to the Order of the Court, the Scheduling  
 16 Order dated December 10, 2007 may be modified as follows:

	<u>Date</u>	<u>Event</u>
18	11/28/08	Last day to complete fact discovery
19	11/28/08	Last day to disclose experts in chief and exchange expert reports
20	01/15/09	Last day to disclose rebuttal experts and exchange rebuttal reports
21	2/13/09	Last day to complete expert discovery
22	03/13/09	Last day to file dispositive motions

23          IT IS FURTHER STIPULATED that the status conference currently set for June 2, 2008  
 24 at 3:00 p.m. be continued to November 10, 2008 at 3:00 p.m. or such other time as the Court may  
 25 determine; and that the pretrial conference shall be set 30 days after the Court enters its decision  
 26 on the Parties' dispositive motions.

1 IT IS FURTHER STIPULATED that draft expert reports and parties' or their counsels'  
 2 communications with their respective experts shall not be discoverable.

3 Dated: May 8, 2008

Respectfully submitted,

4 COOLEY GODWARD KRONISH LLP  
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10 By: \_\_\_\_\_ /s/  
 11 William S. Freeman (CA Bar No. 82002)

12 Attorneys for Defendant  
 13 KENT H. ROBERTS

14 Dated: May 8, 2008

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 100 F Street, N.E.  
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 16 (202) 551-4472

17 By: \_\_\_\_\_ /s/  
 18 Stephen L. Cohen (D.C. Bar No. 478601)

19 Attorneys for Plaintiff  
 20 SECURITIES AND EXCHANGE COMMISSION

21 [PROPOSED] ORDER  
 22 IT IS SO ORDERED.

23 Dated: 5/9/2008

